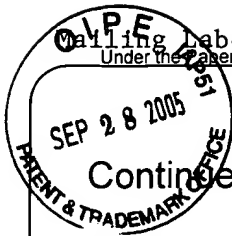


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Request for Continued Examination (RCE) Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/787,172
Filing Date	06/12/2001
First Named Inventor	Ulrich Muller
Art Unit	2625
Examiner Name	Desire, Gregory
Attorney Docket Number	0329-0008

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
ii. ☐ Other _____

- b. ☒ Enclosed

- i. ☒ Amendment/Reply
ii. ☐ Affidavit(s)/ Declaration(s)
iii. ☐ Information Disclosure Statement (IDS)
iv. ☒ other Petition for Revival

2. Miscellaneous

Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for

- a. ☐ period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
b. ☐ Other _____

3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees any underpayment of fees or credit any overpayments to

- a. ☒ Deposit Account No. 50/1039 I have enclosed a duplicate copy of this sheet.
i. ☐ RCE fee required under 37 CFR 1.17(e) 09/30/2005 AWONDAF1 00000030 09787172
ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17) 02 FC:1801 790.00 DP
iii. ☐ Other _____
b. ☒ Check in the amount of \$ 2,290.00 (Petition + RCE) enclosed check # 21674
c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	<i>Andrew Kolomayets</i>	Date	09/28/2005
Name (Print/Type)	Andrew Kolomayets	Registration No.	33,723

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express Mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	<i>Jason Smalley</i>	Date	09/28/2005
Name (Print/Type)	Jason Smalley		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PATENT
Attorney Docket No. 0329-0008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Ulrich Müller, et al.

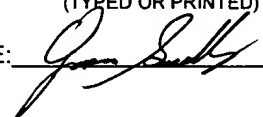
Serial No.: 09/787,172

Filed: June 12, 2001

Examiner: Gregory M. Desire

Art Unit: 2625

For: SYSTEM FOR MEASURING THE
SURFACE GEOMETRY AND SURFACE
EVENNESS OF FLAT PRODUCTS

)	<u>CERTIFICATE OF MAILING BY "EXPRESS MAIL"</u>
)	"Express Mail" Mailing Label: <u>EV643275145 US</u>
)	Date of Deposit: <u>September 28, 2005</u>
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)	under 37 CFR 1.10 on the date indicated above and
)	is addressed to: Mail Stop Petition, Commissioner for
)	Patents, P.O. Box 1450, Alexandria, VA 22313-1450
)	NAME: <u>Jason Smalley</u>
)	(TYPED OR PRINTED)
)	SIGNATURE: 

Mail Stop Petition (Mail Stop RCE)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**AMENDMENT IN RESPONSE TO
OFFICE ACTION MAILED MARCH 7, 2005
AND REQUEST FOR CONTINUED EXAMINATION (RCE)**

Dear Examiner:

This is an Amendment and Response to the Office Action of March 7, 2005 and is being submitted with a Request for Continued Examination (RCE) and a Petition for Revival of an Application for Patent Abandoned Unintentionally under 37 CFR 1.137(b).

It is believed that no fee for an extension of time under 37 CFR § 1.136(a) is required. However, if it is determined that a Petition for a Three (3) Month Extension of Time is also

required, please consider this an express Petition for such extension and charge any such extension fees and any additional fees required for this Amendment, Response, and RCE, to our Deposit Account No. 50/1039. (A duplicate of this document is enclosed.)

Please amend this application in the following manner.